

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr, on
22nd September 2016 at 10.00 a.m.

Present: Councillors Peter Convery (Chair), Andy Campbell, Ian Cavana, Ian Douglas, Ann Galbraith, Sandra Goldie, William J. Grant and Hugh Hunter.

Attending: M. Douglas, Team Leader (Licensing); D. Scobie, Licensing Monitoring Officer; A. Gibson, Committee Services Officer; and Chief Inspector G. l'Anson; and Sergeant G. Griffiths, Police Scotland.

1. Declarations of Interest.

There were no declarations of interest by Members of the Panel in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

2. Minutes of previous meetings.

The minutes of 25th August 2016 ([issued](#)) were submitted and approved.

3. Civic Government (Scotland) Act 1982 - Licences.

(a) Taxi Drivers.

- (i) The Panel heard an objection from Police Scotland and from the applicant, Neil Holliday in response.

Councillor Hunter, seconded by Councillor Campbell, moved that the application be refused on the grounds that, in terms of paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982, in their opinion, the applicant was not a fit and proper person to be the holder of the licence.

By way of an Amendment, Councillor Goldie, seconded by Councillor Grant, moved that the application be approved for one year, subject to standard conditions as previously agreed.

On a vote being taken by a show of hands, five members voted for the Amendment and three for the Motion. The Amendment was accordingly declared to be carried.

Decided: to approve this application for one year, subject to standard conditions as previously agreed.

- (ii) The Panel heard an observation from Police Scotland and from the applicant, Hugh Murphy, in response.

Councillor Hunter, seconded by Councillor Goldie, moved that the application be approved for one year, subject to standard conditions as previously agreed.

By way of an Amendment, Councillor Galbraith, seconded by Councillor Grant moved that the application be approved for three years, subject to standard conditions as previously agreed.

On a vote being taken by a show of hands, five members voted for the Amendment and three for the Motion. The Amendment was accordingly declared to be carried.

Decided: to approve this application for three years, subject to standard conditions as previously agreed.

- (iii) Reference was made to the Minutes of 29th June 2016 (Page 1, paragraph 3(a)) when the Panel had decided to continue consideration of this application to a future meeting of this Panel until the outcome of the court proceedings was known and having noted that the court proceedings had not yet taken place, the Panel agreed to consider the application at this time. The Panel heard an observation from Police Scotland and from the applicant, Sandeep Singh in response.

Councillor Douglas, seconded by Councillor Galbraith, moved that the application be approved for three years, subject to standard conditions as previously agreed.

By way of Amendment, Councillor Hunter, seconded by Councillor Campbell, moved that the application be approved for one year, subject to standard conditions as previously agreed.

On a vote being taken by a show of hands, five members voted for the Amendment and three for the Motion. The Amendment was accordingly declared to be carried.

Decided: to approve this application for one year, subject to standard conditions as previously agreed.

Variation in order of business.

In terms of Council Standing Order No. 13(2), the Panel agreed to vary the order of business as hereinafter minuted.

(b) Private Hire Vehicle.

Reference was made to the Minutes of 29th June 2016 (Page 1, paragraph 3(b)) when the Panel had decided to continue consideration of this application to a future meeting of this Panel until the outcome of the court proceedings was known and the Panel now heard an observation from Police Scotland and from the applicant, Sandeep Singh in response.

Decided: to approve this application for three years, subject to standard conditions as previously agreed.

(c) Taxi Drivers.

The Panel considered the proposed suspension of various licences.

Decided:

- (i) to agree to suspend the licences held by the following for their unexpired portions as they had failed to undertake training as per the licences issued to them and to grant delegated powers to the Legal and Licensing Manager to reinstate these licences once proof of completion of the training course had been exhibited:-

Graeme Alexander James Paterson;
Daniel Carroll;
Brian Conway;
Derek B Ross; and
Ryan Morrison ; and

- (ii) having heard from Jamie Brown, to agree to suspend his licence for its unexpired portion as he had failed to undertake the training as per the licence issued to him and to grant delegated powers to the Legal and Licensing Manager to reinstate this licence once proof of completion of the training course had been exhibited.

(d) Taxi Vehicles.

The Panel heard from the Licensing Monitoring Officer in relation to the three applications from John Grigor (1/00798/HCVL, 1/00799/HCVL and 1/00800/HCVL) and heard from the applicant in response and the Panel adjourned for consideration of these applications.

Decided: upon reconvening, to approve these applications for three years, subject to

- (i) standard conditions as previously agreed and the vehicles being presented every four months for testing;
- (ii) the licences being further considered by this Panel, should there be a fail on any of the four monthly tests of the vehicles; and
- (iii) the applicant maintaining records of services and weekly checks undertaken on these vehicles.

The meeting ended at 11.15 a.m.